

# OVERVIEW & SCRUTINY COMMITTEE MEETING

Date: Tuesday 21 June 2022  
Time: 6.30 pm  
Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Mrs Blackmore, Brice, Cannon, Cleator, Conyard, English, Garten, Hastie, Hinder, Jeffery, Knatchbull, McKenna and T Wilkinson

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## AGENDA

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Election of the Chairman
4. Election of the Vice-Chair
5. Urgent Items
6. Notification of Visiting Members
7. Disclosures by Members and Officers
8. Disclosures of Lobbying
9. To consider whether any items should be taken in private because of the possible disclosure of exempt information
10. Presentation of Petitions (if any)
11. Question and Answer session for Local Residents (if any)
12. Questions from Members to the Chairman (if any)
13. Notification of 'Call-In' of an Executive Decision (if any)
14. Receipt of Councillor 'Call for Action' (if any)
15. Receipt of Suggested Review Topics (if any)
16. 2022/23 Work Programming

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**Issued on 13 June 2022**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

## INFORMATION FOR THE PUBLIC

In order to ask a question at this meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 17 June 2022). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on 17 June 2022). You will need to tell us which agenda item you wish to speak on.

If you require this information in an alternative format please contact us, call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk).

To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk).

## Overview and Scrutiny Committee

**21 June 2022**

### 2022/23 Work Programming

<b>Timetable</b>	
<b>Meeting</b>	<b>Date</b>
Overview and Scrutiny Committee	21 June 2022

<b>Will this be a Key Decision?</b>	Not Applicable
<b>Urgency</b>	Not Applicable
<b>Final Decision-Maker</b>	Overview and Scrutiny Committee
<b>Lead Head of Service</b>	Angela Woodhouse, Head of Policy, Communications and Governance
<b>Lead Officer and Report Author</b>	Oliviya Parfitt, Democratic Services Officer
<b>Classification</b>	Public
<b>Wards affected</b>	All

#### **Executive Summary**

This report outlines the process to be taken by the Committee in formulating its work programme for the 2022/23 Municipal Year.

#### **Purpose of Report**

Decision

#### **This report makes the following recommendations to the Committee:**

1. Consider the suggested topics set out in Appendix B to the report and determine which, if any, should be included within the Committee's work programme;
2. Determine whether any of the topics arising from agenda Item 15 – Receipt of Suggested Review Topics (if any), should be included within the Committee's work programme; and
3. Indicate the terms of reference for the topics selected, in accordance with point 2.14 of the report.

# 2022/23 Work Programming

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>Accepting the recommendations could materially improve the Council’s ability to achieve all corporate priorities, due to the Committee’s role in reviewing and recommending actions on its work programme topics.</p>	Head of Policy, Communications and Governance
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul> <p>The report recommendations could support the achievement of the all the Council’s cross-cutting objectives due to the Committee’s role in reviewing and recommending actions on its work programme topics.</p>	Head of Policy, Communications and Governance
<b>Risk Management</b>	See Section 5 of the report.	Head of Policy, Communications and Governance
<b>Financial</b>	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Section 151 Officer & Finance Team

<b>Staffing</b>	We will deliver the recommendations with our current staffing, with an additional two roles advertised within the Democratic Services Team.	Head of Policy, Communications and Governance
<b>Legal</b>	In accordance with Part 1A of the Local Government Act 2000 (as amended by the Localism Act 2011) the Council is operating under Executive Arrangements.  These arrangements must include provision for the appointment of one or more overview and scrutiny Committees to review and scrutinise executive decisions made, or other action taken – LHA 2000, section 9F.	Interim Team Leader (Contentious and Corporate Governance)
<b>Information Governance</b>	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Senior Information Governance Officer
<b>Equalities</b>	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
<b>Public Health</b>	We recognise that the recommendations will not negatively impact on population health or that of individuals. (suggested)	[Public Health Officer]
<b>Crime and Disorder</b>	No impacts identified.	Head of Policy, Communications and Governance
<b>Procurement</b>	No impacts identified.	Head of Policy, Communications and Governance  & Section 151 Officer]
<b>Biodiversity and Climate Change</b>	The implications of this report on biodiversity and climate change have been considered and are; <ul style="list-style-type: none"> <li>• There are no implications on biodiversity and climate change.</li> </ul>	Biodiversity and Climate Change Officer

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 From its Annual Meeting on 21 May 2022, the Council moved to its new Executive Arrangements as agreed at the full Council meeting held in September 2021.
- 2.2 Under an Executive system, it is a legislative requirement to have at least one Overview and Scrutiny Committee (OSC). The terms of reference for this Committee have been attached at Appendix A for information.
- 2.3 The Committee will not be responsible for pre-decision scrutiny, as this is being undertaken by the Council's four Policy Advisory Committees. This provides an opportunity for a greater variety and scope of issues for policy development and review to be considered by the Committee as part of its annual work programme.
- 2.4 Virtual training was provided to the Committee's Members and Substitute Members on 9 and 16 June covering:
- Introduction to Overview and Scrutiny
  - Questions Skills for Scrutiny
- 2.5 A workshop was also delivered to the Wider Leadership Team (WLT) on 27 May 2022 that aimed to:

- Reintroduce Overview and Scrutiny to Senior Officers.

Consideration was given to the Committee's specific roles and responsibilities, as outlined in the Constitution; and

- Identify possible review topics for the Committee to consider

The suggested topics are included within Appendix B to the report.

- 2.6 It is common practice for a Work Programming Event to be facilitated ahead of the first meeting of an OSC. However, due to the high workload of the Democratic Services Team and current vacancies this was not possible. An event could be facilitated ahead of the 2023/24 Municipal Year, although this can be decided at a later date.

### **Setting the Work Programme**

- 2.7 It is important that the Committee sets its own work programme. Ahead of considering potential topics for inclusion, excerpts from statutory guidance have been included below. (This is available in full by using the link on the next page)

#### Statutory Guidance:

*'Effective scrutiny should have a defined impact on the ground, with the committee making recommendations that will make a tangible difference to the work of the authority. To have this kind of impact, scrutiny committees*

*need to plan their work programme, i.e. draw up a long-term agenda and consider making it flexible enough to accommodate any urgent, short-term issues that might arise during the year.*<sup>1</sup>

- 2.8 Included within Appendix B are eleven suggested topics for review that have been put forward by the WLT and the Executive.
- 2.9 The Committee is not obliged to include any of the suggestions within its work programme; the suggestions have been included in the interest of promoting a supportive working relationship between the Council's Senior Officers, Executive and the Committee generally.
- 2.10 In order to maximise Member involvement in the work programming process, a proposal form has been attached at Appendix C to the report. All Members will be contacted following this report's publication to highlight the option to propose an item for review. Once elected, the Committee Chairman would accept these under agenda Item 15 – Receipt of Suggested Review Topics (if any), for their consideration alongside this report.
- 2.11 During the 21 June meeting the Committee should select which items to include its work programme for the remainder of the 2022-23 Municipal Year. The Committee will not have the time or resources to review all of the topics identified. The following considerations may assist the Committee in making its decision:
- Does the topic amplify public concerns?
  - Will reviewing the topic drive improvement in public services?
  - Does it relate to the Council's Strategic Priorities or Cross-Cutting Objectives, National or Regional priorities or Executive Priorities?
  - Is an existing service area of the council already working on the issue/has work been conducted recently?
  - Is it a priority to review?
- 2.12 There should be flexibility in the work programme to account for any new and unexpected issues that may arise over the year. The Committee is also responsible for exercising the Council's Crime & Disorder functions and will need to allocate two meetings across the year to fulfil this function.
- 2.13 The work programme can be used to set the timescales for each review by allocating Committee Meetings to the topics.

### **Scoping the Issues**

- 2.14 The issues chosen will be scoped and then presented at the 19 July 2022 meeting. The scoping will be completed by Democratic Services and the relevant officer(s). It would be helpful for the Committee to outline the following:
- The issue's priority
  - Alignment to Priorities

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<sup>1</sup> Overview and Scrutiny: Statutory Guidance for Councils and Combined Authorities: [Overview and scrutiny: statutory guidance for councils and combined authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/101421/Overview_and_scrutiny_statutory_guidance_for_councils_and_combined_authorities.pdf)

- Desired Outcome
- Red lines – what must or must not be included (if anything)
- Approach to be taken (including resources required)

2.15 The timescales and order of the reviews should be formally agreed at the 19 July meeting to enable the review process to begin.

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### **3. AVAILABLE OPTIONS**

- 3.1 Option 1 – Consider the suggested topics for review attached at Appendix B, alongside any received by Members post-publication including during the item and choose topics for inclusion in the work programme. This is the recommended option
- 3.2 Option 2 – Consider the suggested topics for review and decide to review topics on an ad hoc basis. This is not recommended as it will not provide the opportunity to scope, plan and conduct reviews in a timely and productive manner.
- 3.3 Option 3 – Do nothing. Failing to identify a work programme and items for review is not recommended as this would greatly reduce the effectiveness of the Overview and Scrutiny Committee.
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### **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 See point 3.1 above.
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### **5. RISK**

- 5.1 The main risk associated with Work Programming is that the Committee chooses too many review topics and is unable to conduct detailed reviews in a timely and productive manner. This risk can be mitigated by the Committee having this in mind when considering its work programme.

### **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Previous consultation has taken place with WLT and the Executive. The ideas suggested by have been included within Appendix B.
- 6.2 The Committee should be aware of the likelihood that additional proposals will be submitted by Members following this reports publication, using the form attached at Appendix C.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Once the Committee has chosen the topics for inclusion within its work programme, these will be scoped with the relevant Officers and re-presented to the committee on 19 July 2022.
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## **8. REPORT APPENDICES**

The following documents are to be published with this report and form part of the report:

- Appendix A: OSC Terms of References (Excerpts from Parts A and B of the Council's Constitution)
  - Appendix B: Suggested topics for Review (Wider Leadership Team and the Executive)
  - Appendix C: Proposal Form
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## **9. BACKGROUND PAPERS**

Overview and Scrutiny: Statutory Guidance for Councils and Combined Authorities.

**Part A2, 6 – The Committees**

**6.3.** The Overview & Scrutiny Committee

- 6.3.1. There shall be an Overview & Scrutiny Committee of the Council consisting of thirteen (13) Members who are not on the Executive plus up to two (2) non-Members co-opted in accordance with the Rules of Procedure.
- 6.3.2. The purpose of the Overview & Scrutiny Committee shall be: -
  - (a) To review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
  - (b) To make reports and/or recommendations to the Full Council and/or the Executive in connection with the discharge of any functions;
  - (c) To consider any matter affecting the Council, the Borough or Local Residents;
  - (d) To act as the Council's Crime & Disorder Scrutiny Committee for the purposes of Section 19, Police and Justice Act 2006; and
  - (e) To exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive.
- 6.3.3. Part B of this Constitution shall set out a more detailed specification of the functions of the Overview & Scrutiny Committee.
- 6.3.4. The Members on the Overview & Scrutiny Committee shall elect one of their number to chair that Committee and another to act as vice-Chair, with preference in the election process to chair that Committee being given to Members from the largest non-Administration Political Group on the Council
- 6.3.5. The role and powers of the Overview & Scrutiny Committee are not affected by whether or not a decision relates to a matter within the Administration's Programme.
- 6.3.6. The Overview & Scrutiny Committee must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

**Part B4, 1 – Councils Supporting Governance Arrangements**

**1.1. OVERVIEW & SCRUTINY COMMITTEE**

**1.1.1. Policy Development and Review Functions:**

- (a) To assist the Council and the Executive in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
- (b) To hold enquiries, conduct research, community and other consultation in the analysis of policy issues and possible options;
- (c) To consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (d) To question Members on the Executive and/or Committee Chairmen and Chief Officers about their views on issues and proposals affecting the area;
- (e) To liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

**1.1.2. Scrutiny Functions:**

- (a) review and scrutinise the decisions made by and performance of the Executive and/or committees and council officers both in relation to individual decisions and over time;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) question members of the executive and/or committees and chief officers about their decisions and performance, whether generally in comparison with
- (d) plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (e) make recommendations to the executive and/or appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (f) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the committee and local people about their activities and performance;

Appendix B: Suggested topics for Review (Wider Leadership Team and the Executive)

<b>Suggested Topic</b>	<b>Brief Details</b>	<b>Source</b>	<b>Link to:</b>
Flood Risk Management	Assessment of possible mitigation measures and creation of cost-benefit analysis	Director of Finance and Business Improvement	Safe, Green & Clean Heritage, Biodiversity and Environmental Sustainability is respected.
Cost-of-Living-Crisis	Review into Council support	Chief Executive, Director of Finance and Business Improvement, Monitoring Officer, Head of Policy, Governance and Communications, Head of Revenues and Benefits, Head of Regeneration and Economic Development	A Thriving Place Homes and Communities Health Inequalities are addressed and Reduction Deprivation and Social Mobility Improved
Social Value – Commissioning and Procurement Strategy	Review of the social value concept	Chief Executive	A Thriving Place Embracing Growth and Enabling Infrastructure
Council’s performance in relation to Waste Strategy	Review into the council’s performance against partnership authorities	Head of Environment and Public Realm	Safe, Clean and Green
Crematorium Infrastructure	Assessment of available machinery for renewal	Head of Environment and Public Realm	Safe, Clean and Green
Be safe, Stay safe in the Town Centre	Review of existing and new safety measures	Chief Executive	Safe, Clean and Green A Thriving Place
Social Mobility	Review into Social Mobility across the borough	Chief Executive	A Thriving Place Homes and Communities Deprivation and Social Mobility is Improved
Health Inequality	Review into Health Inequality across the borough	Chief Executive	Homes and Communities Health Inequalities are Addressed and Reduced

Appendix B: Suggested topics for Review (Wider Leadership Team and the Executive)

Crime & Disorder Reduction Rules	Review of the C&D Reduction Rules within the Constitution	Democratic Services Officer	Homes and Communities Safe, Clean and Green
Night-Time Economy	Review of night-time economy and measures in the Town Centre	Executive	
Enforcement	Review of Enforcement across the Council	Executive	
Crime & Disorder Reduction Rules	Review of the rules contained within the Constitution.	Democratic Services Officer	

**Maidstone Borough Council – OSC Proposal Form**

Please complete the below form to submit a proposal for consideration by the Overview and Scrutiny Committee.

If you need any procedural guidance, please contact democratic services at [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk)

Proposer Name	
Proposed Topic	
Description and Reason for Review <i>(state if previously considered by the Council)</i>	<p><i>Possible areas to cover:</i></p> <p><i>Why should this issue be reviewed?</i></p> <p><i>What is the priority?</i></p> <p><i>Does the topic amplify public concerns?</i></p> <p><i>What would be the impact of the review on the Council/Borough?</i></p> <p><i>Are there any performance or risk concerns associated with the topic/review?</i></p> <p><i>What supporting evidence is available?</i></p> <p><i>Has a review on this topic been conducted/being conducted?</i></p>
Link to: Council’s Strategic Plan and Corporate Priorities National/Regional Priorities Executive Priorities	
Desired Outcomes	